

CHILD PASSENGER SAFETY BASIC INFORMATION AND LAWS

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This presentation is designed to give officers and citizens a better understanding of the changes in two parts of the Texas Transportation Code: 545.412 and 545.413

The following information is an interpretation provided by the Texas Department of Public Safety Office of General Counsel and the Administrative Training Unit, Safety Programs.

Consult with your own agency for legal interpretations and enforcement guidelines.

This information in no way replaces the National Child Passenger Safety Technician certification course. You are not a certified child passenger safety technician just because you have viewed this presentation.

It is designed to present examples of different types of child safety restraint systems that meet the Federal Motor Vehicle Safety Standard 213 and therefore meet the requirements under 545.412.

The photographs contained in this slide show are examples only – there are many different manufacturers of child safety restraint systems.

The manufacturers' owners manual should ALWAYS be referred to for specific information on the correct usage/installation requirements of each individual restraint system.

Transportation Code 545.412

- All children younger than 5 years AND less than 36" required to be in the appropriate safety restraint system
- Must be installed according to the manufacturer's instructions, some prohibited from use on front seats
- Anywhere child sits in a passenger vehicle
 - **Passenger car, truck, light truck, truck tractor, SUV**
- As long as there is an open seating position available equipped with safety restraint system/safety belt
- **NOTHING IN THE LAW SPECIFIES WHERE IN THE VEHICLE A CHILD MUST RIDE**
- It's strongly recommended that all children less than 13 years old ride properly restrained in the back seat

545.412 Changes SB 61

- Requires all children YOUNGER than 8 years old UNLESS already 4'9" tall to be in the appropriate child safety restraint system (car seat/booster seat/safety vest) anywhere they sit in a passenger vehicle
- Remember: restraint systems MUST be installed and used according to manufacturer's instructions

545.412 Changes SB 61

- **Effective date versus Enforcement date**
 - The EFFECTIVE date is SEPT 1, 2009
Officers may only issue WARNINGS
 - Law enforcement agencies refer to your chain-of-command for warning policies
 - The ENFORCEMENT date is JUNE 1, 2010
Officers may issue CITATIONS and courts may assess fines at this time

545.412 Changes SB 61

- **Fines**

- No more than \$25 first offense
- No more than \$250 second and subsequent offenses

545.412 Changes

- These changes DO NOT affect the enforcement of the current 545.412
- Still requires all children younger than 5 years and less than 36” to be in the appropriate child safety restraint system in passenger vehicle
- The warning period and 06/01/2010 date applies to the children NOT PREVIOUSLY COVERED!

Transportation Code 545.413 (until 09/01/2009)

- All occupants in front seat of passenger vehicles must be restrained by either safety belts or child safety restraint systems
- All occupants younger than 17 in back seat must also be restrained by safety belts or child safety restraint systems
- Both of the above: provided an open seating position equipped with safety system/belt is available

545.413 Changes HB 537

- **Effective 09/01/09**
- A person commits an offense if they are at least 15 years old sitting in anywhere in a passenger vehicle and not wearing a safety belt
- A person commits an offense if they allow an occupant younger than 17 to ride unrestrained in a passenger vehicle
- Both of the above: provided an open seating position equipped with safety system/belt is available

Definitions/Changes HB 537

- **Passenger vehicle**: passenger car, truck, light truck, truck tractor, sport utility vehicle - per 545.412
- **CHANGE**: 12 & 15 PASSENGER VANS added, effective 09/01/09!
- **Passenger car**: vehicle designed to transport not more than 10 occupants including the operator - per 541.201(12)

The following slides are for educational purposes in an attempt to explain language in statute 545.412:

“...and does not keep the child secured in a child passenger safety seat system according to the instructions of the manufacturer of the safety seat system.”

Consult with your own agency for legal interpretations and enforcement guidelines.

Infant Only Seats

- Babies stay rear facing until **minimum BOTH** first birthday **AND** 20 lbs (info in manuals)
- Harness in slots at or below child's shoulders
- Harness snug – NO slack
- Install rear-facing, semi-reclined, usually 45 degrees
- Retainer clip at armpit
- Some can be used without the base
- **Never install on the front seat with an active airbag!**



Convertible Seats Rear-Facing

- Use for babies up to 30 - 35 lbs and those less than one year old
- Use a 5-point harness
- Harness in slots at or below child's shoulders
- Harness snug – NO slack
- Retainer clip at armpit
- Install semi-reclined
- **AAP*: keep children rear-facing as long as possible – 2 years**
- **Always read the owner's manual**



TXDPS 06/09 BW

*AAP is the American Academy of Pediatrics

Convertible Seats Forward-Facing

- Use for children more than 20 pounds **and** at least 1 year old
- Top weight limit for child: 40, 50, 65, 80 lbs
- Harnesses in top slots (unless manual states different location)
- Harness snug – NO slack
- Retainer clip at armpit
- Install fully upright
- **Always read the owner's manual**



Forward-Facing Only Seats

- **Always** install forward facing
- Harness in slots at or slightly above shoulders
- Harness snug – NO slack
- Use harness until top weight limit – check manual/labels for limit
- Retainer clip at armpit
- Remove harness to use as a booster
- **As a booster - must use lap/shoulder belt!**



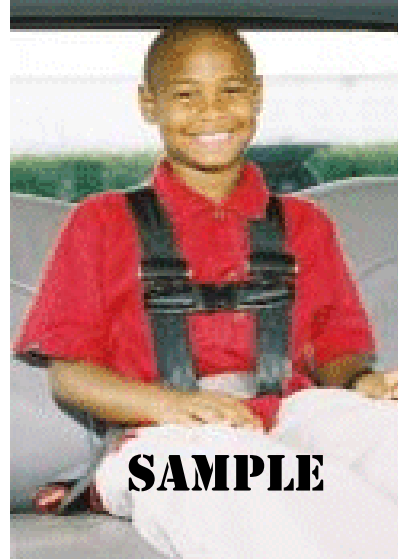
Booster Seats

- Two types: high back and backless
- Use high back when no head restraint on vehicle seat
- Weight limits vary: usually for kids 30 – 100 pounds – read the manual carefully
- Make sure booster allows proper fit of belt
- **Must always use with lap/shoulder belt!**



Safety Vests/Harness

- Safety vests may also be used instead of safety seats or booster seats
- Child must meet age, height, weight requirement set by manufacturer
- DO NOT use with a booster unless approved by both manufacturers



The Seat Belt/Booster Seat 5-Step Test Once Your Child Is 8 Years Old

Buckle your child into a lap/shoulder belt and try this test:

1. Does he/she sit all the way back against the seat?
2. Do his/her knees bend easily at the edge of the seat?
3. Does the shoulder belt cross over the center of the shoulder and chest?
4. Is the lap belt low, across the tops of the thighs?
5. Can he/she stay seated like this for the entire trip?

If you answered “no” to any of these, your child may still need a booster seat.

Contact a certified child passenger safety technician for more information: **<http://www.safekids.org/certification/>**

What is the “best” car seat?

All safety seats must pass crash tests

- 1. One that fits the child** – choose a seat that best fits the child’s weight, height and physical tolerances
- 2. One that fits the vehicle** – make sure you can get a proper installation of the seat in the vehicle(s)
- 3. One that is convenient to use** – if it’s not easy to use, caregivers may skip steps – and this puts the child’s safety at risk
- 4. Not all seats fit the same in all vehicles**

Contact a certified child passenger safety technician for more information: **<http://www.safekids.org/certification/>**

What about “used” car seats?

- 1. Is it free of recalls?**
- 2. Do you know the complete history?**
- 3. Does it meet current Federal safety standards?**
- 4. Is it less than six years old from the date of manufacture?**
- 5. Is the manufacturer still in business?**
- 6. Is it free of cracks, loose rivets, etc.?**
- 7. Are all of the parts present and do they work correctly?**
- 8. Do you have the owner’s manual?**
- 9. Has it been altered in any way?**
- 10. Has it been in a crash?**

Do not use the seat if you answered “no” to any of the first eight questions; or “yes” to either of the last two questions.

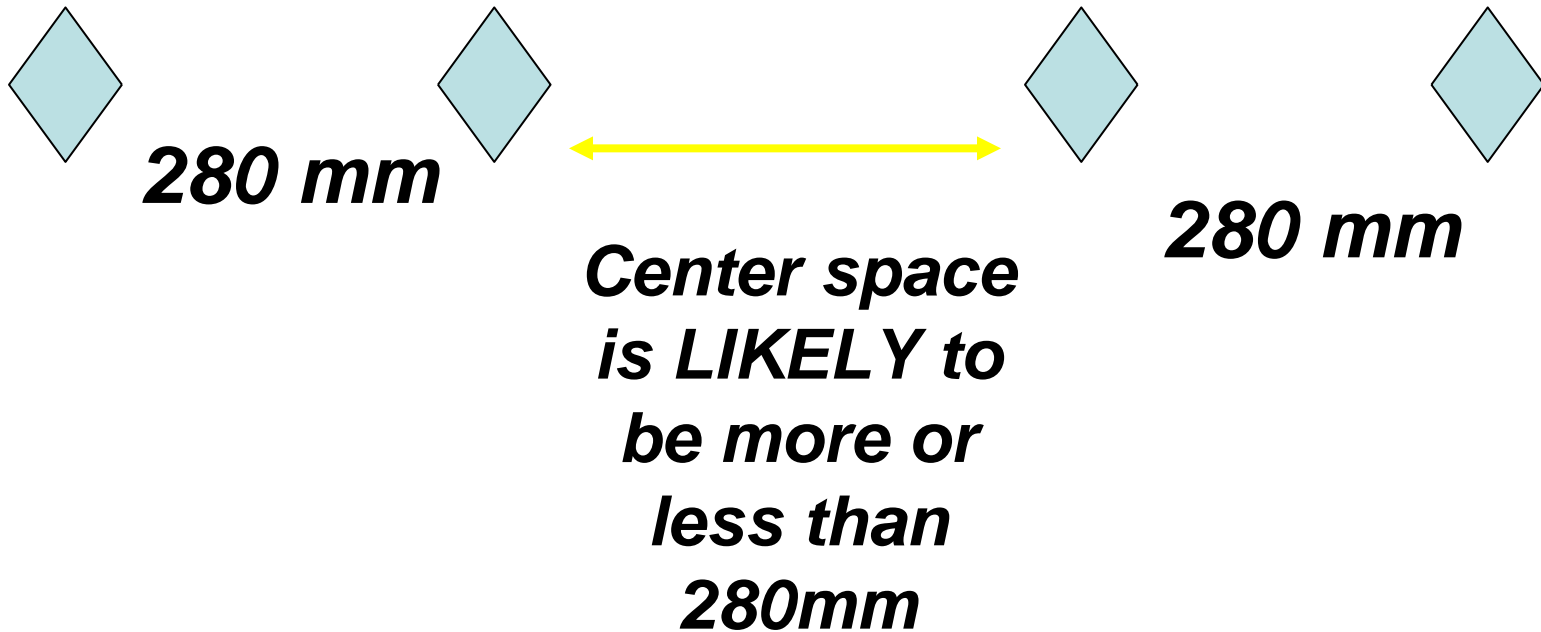
What About LATCH?

- **LATCH** stands for “Lower Anchors and Tethers for Children”
- A set of two clips on a strap/s attached to the safety seat
- A top strap – tether – to use on forward-facing safety seats to decrease the amount of movement to the top of the seat
- Most vehicles made as of 9/2/2002 required to have two lower anchor locations and three tether anchors

More...What About LATCH?

- Always read owner's manuals to both the vehicle and the safety seat
- **ALWAYS** install a safety seat with **EITHER** a seat belt or **LATCH** system, not both
- **ALWAYS** attach only one lower clip to the each lower anchor, never two clips on one anchor

Center Position Issues



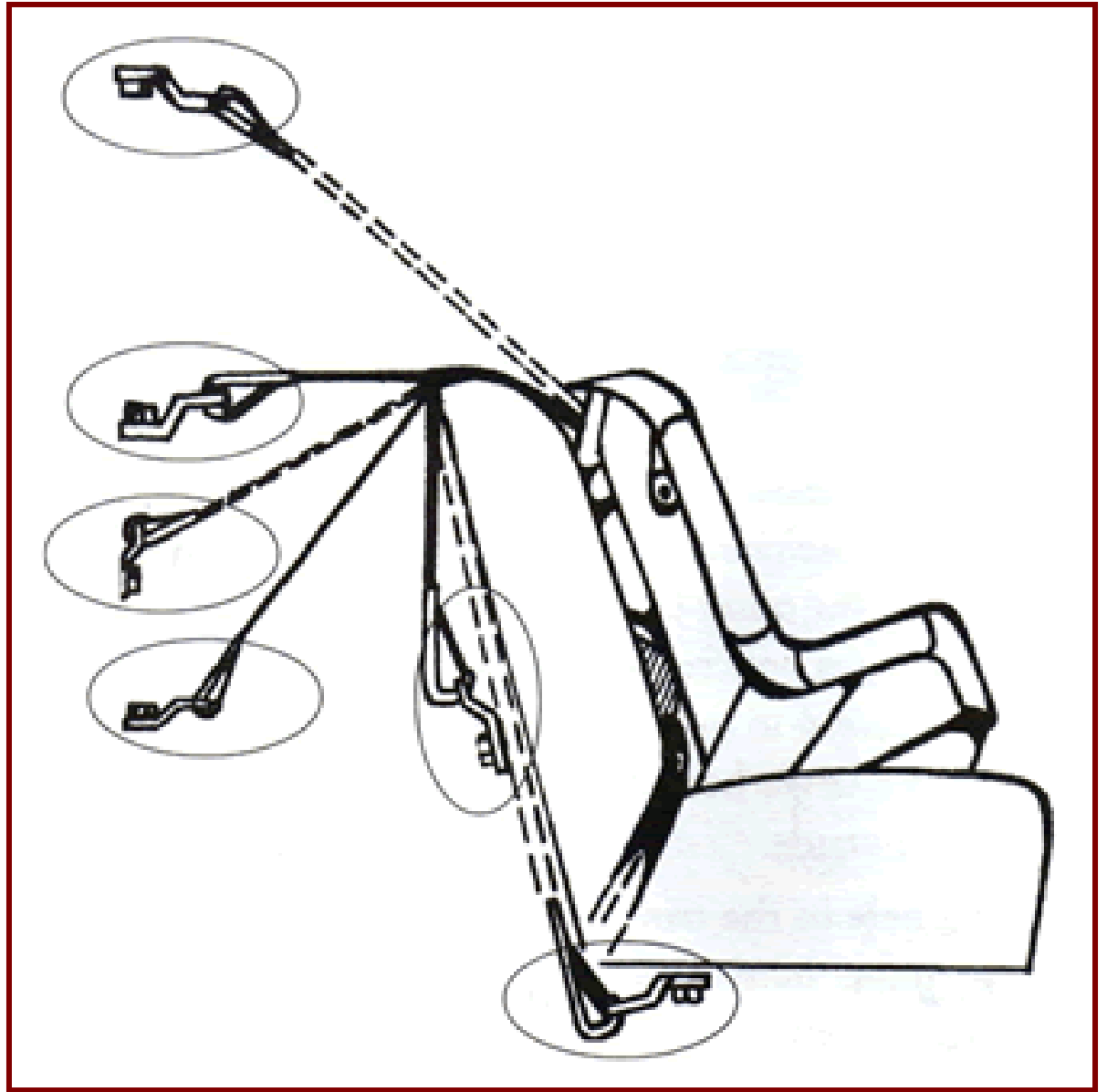
You cannot use center lower anchors to create a center LATCH position unless they are designated positions or **BOTH** the child safety seat **AND** vehicle manufacturers allow for it. *Read both manuals.*

Top Tethers

- All seats designed to be used forward facing and have internal harnesses come with a top tether
- Will reduce forward movement of the top of the seat by 4" – 6"
- Attach hook **ONLY** to approved anchor
- **READ THE OWNER'S MANUAL!!**

- Top tether anchor locations can be almost anywhere in the vehicle

- Refer to the vehicle owner's manual to identify correct location



Helpful Links

- National Highway Traffic Safety Administration:
<http://www.nhtsa.dot.gov/>
- Safe Kids Worldwide – list of certified technicians and classes:
<http://www.safekids.org/certification/>
- General safety seat info:
<http://www.carseat.org/>

Contact Information

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